IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 303 of 2007
IN
CHAMBER SUMMONS NO.222 OF 2007
IN
EXECUTION APPLICATION NO.228 OF 2006
IN
SUMMARY SUIT NO. 807 OF 2002

M/s.Glomore Construction .. Appellant

versus

1. Vestolit Gmbh & Company KG
2. National Leather Cloth Mfg. Co. .. Respondents

...

Mr.S.U.Kamdar, Sr.Advocate i/b M/s.S.K. Chaturvedi & Associates for the appellant.

Mr.Kedar Wagle for respondent no.1.

Mr.Jariwala for respondent no.2.

CORAM : R.M.S. KHANDEPARKAR
AND D.G.KARNIK, JJ

DATED : 11th June 2007.

P.C.:

1. Heard. Admit. Mr.Wagle waives service for respondent no.1. Mr.Jariwala waives service for respondent no.2.

2. By consent, heard forthwith. By consent,

the impugned order is hereby set aside and the matter is remanded to learned Single Judge to hear the Chamber Summons no.222 of 2007 afresh and decide the same in accordance with the provisions of law. Considering the controversy in the matter, we request the learned Single Judge to dispose of the matter as expeditiously as possible.

3. Order accordingly. No costs.

4. Needless to say that in the mean while though the attachment may continue the same shall be subject to the order that may be passed in the chamber summons, no further steps shall be taken on account of such attachment till the disposal of the chamber summons and the same shall be subject to the order to be passed in the chamber summons.

(R.M.S. KHANDEPARKAR, J)

(D.G. KARNIK, J)